

Income—SSI—program to include a 7-year time limit on the receipt of benefits for refugees and asylees. To allow adequate time for asylees and refugees to become naturalized citizens, Congress provided the 7-year time limit before the expiration of SSI benefits. Unfortunately, the naturalization process often takes longer than 7 years. Applicants are required to live in the United States for a minimum of 5 years prior to applying for citizenship. In addition to that time period, their application process often can take 3 or more years before there is resolution.

Because of this time delay, many individuals are trapped in the system and faced with the loss of their SSI benefits. In fact, by the end of 2008 more than 30,000 elderly and disabled refugees will have lost their benefits and more than 19,000 are projected to lose their benefits in the coming years.

Many of these individuals are elderly refugees who fled persecution or torture in their home countries. They include Jewish refugees fleeing religious persecution in the former Soviet Union, Iraqi Kurds fleeing the Saddam Hussein regime, Cubans and Hmong people from the highlands of Laos who served on the side of the United States military during the Vietnam War. They are elderly and unable to work, and have become reliant on their SSI benefits as their primary income. To penalize them because of delays encountered through the bureaucratic process seems unjust and inappropriate.

The administration, in its fiscal year 2009 budget, acknowledged the necessity of correcting this problem by dedicating funding to extend refugee eligibility for SSI beyond the 7-year limit. This legislation builds upon those efforts by allowing an additional 2 years of benefits for elderly and disabled refugees, asylees, and other qualified humanitarian immigrants, including those whose benefits have expired in the recent past.

The Senate version requires that eligible individuals demonstrate that they are moving toward citizenship in order to gain the additional 2-year extension of benefits. While the Act provides flexibility to the Social Security Administration—SSA—and the Department of Homeland Security—DHS—in developing a procedure whereby they can verify an applicant's eligibility for the extension of benefits, it is our intent that whatever procedure SSA and DHS establish, it does not impose any undue burdens or barriers on the beneficiaries of this Act.

Additionally, the bill allows benefits to be extended for a third year for those refugees who are awaiting a decision on a pending naturalization application. These policies are limited to 2011 and are completely offset in cost by a provision that will allow the Department of Labor to recapture federal funds that are the result of unemployment insurance fraud.

I again thank my colleagues for their support of this bill and for its passage.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Smith substitute at the desk be agreed to, the bill as amended be read a third time and passed, the title amendment be agreed to, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 5260) was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The amendment was ordered to be engrossed and the bill read a third time.

The bill (H.R. 2608), as amended, was read the third time and passed.

The amendment (No. 5261) was agreed to, as follows:

Amend the title so as to read; "An Act to amend section 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide, in fiscal years 2009 and 2011, extensions of supplemental security income for refugees, asylees, and certain other humanitarian immigrants, and to amend the Internal Revenue Code of 1986 to collect unemployment compensation debts resulting from fraud."

BRUCE W. CARTER DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs by discharged from further consideration of H.R. 4918 and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 4918) to name the Department of Veterans Affairs medical center in Miami, Florida, as the "Bruce W. Carter Department of Veterans Affairs Medical Center."

There being no objection, the Senate proceeded to consider the bill.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid on the table with to intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 4918) was ordered to be read a third time, was read the third time, and passed.

CHARLES L. BRIEANT, JR., FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 6340, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 6340) to designate the Federal building and United States courthouse located at 300 Quarropas Street in White Plains, New York, as the "Charles L. Brieant, Jr., Federal Building and United States Courthouse."

There being no objection, the Senate proceeded to consider the bill.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 6340) was ordered to be read a third time, was read the third time, and passed.

HUBBARD ACT

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 6580, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 6580) to ensure the fair treatment of a member of the Armed Forces who is discharged from the Armed Forces, at the request of the member, pursuant to the Department of Defense policy permitting the early discharge of a member who is the only surviving child in a family in which the father or mother, or one or more siblings, served in the Armed Forces and, because of hazards incident to such service, was killed, died as a result of wounds, accident, or disease, is in a captured or missing in action status, or is permanently disabled, to amend the Internal Revenue Code of 1986 to repeal the dollar limitation on contributions to funeral trusts, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. GRASSLEY. Mr. President, I rise in support of the Hubbard Act.

This important legislation helps our service men and women in uniform who are the "sole survivor"—only surviving child in a family in which one of their family members has died or been killed due to their military service. Under the current "sole survivor" policy of the Armed Forces, there are no standard benefits available to those who separate from the Armed Forces under this policy.

The legislation corrects a flaw, allowing sole survivors to qualify for a standard set of Federal benefits that are generally available to other veterans.

I would like to comment on the bill's other provision. Section 9 would repeal the dollar limitations on contributions to funeral trusts. In the Senate, this provision was authored by the Senator from Utah, Mr. HATCH. It has been included to offset the additional spending associated with the bill's sole survivor provisions.

As I have consistently said in the past, the Senate Finance Committee is not a piggy bank for the other committees to dip into to pay for their new

spending proposals. My preference would have been to have the sole survivor provisions in this legislation funded by spending reductions by the committees of jurisdiction.

I have been told that option was not available for this bill.

The funeral trust provision under Section 9, is a taxpayer favorable provision. It is a purely voluntary provision. It helps people who want to put more money aside in trust to provide for their funeral.

Unlike prior revenue raisers proposed by the majority that would impose tax increases on unsuspecting Americans, this revenue offset is strongly supported by those who would pay the additional tax.

As I said previously, my strong preference would be to not use the tax code to pay for higher spending. However, there is strong support for the funeral trust provision and it is favorable to taxpayers.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 6580) was ordered to be read a third time, was read the third time and passed.

DTV BORDER FIX ACT OF 2008

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 886, S. 2507.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2507) to address the digital television transition in border states.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "DTV Border Fix Act of 2008".

SEC. 2. CONTINUATION OF ANALOG BROADCASTING ALONG COMMON BORDER WITH MEXICO.

Section 309(j)(14) of the Communications Act of 1934 (47 U.S.C. 309(j)(14)) is amended by adding at the end the following:

"(D) CONTINUATION OF ANALOG BROADCASTING ALONG COMMON BORDER WITH MEXICO.—

"(i) IN GENERAL.—Notwithstanding any other provision of this section, any television station that has been granted a full-power television broadcast license that authorizes analog television service prior to February 17, 2009, that is licensed by the Commission to serve communities located within 50 miles of the United States common border with Mexico, and that can establish to the satisfaction of the Commission that such station's continued broadcasting of television service in analog is in the public interest, shall during the period beginning on the date of enactment of the DTV Border Fix Act of 2008, and ending February 17, 2014—

"(I) be entitled to the renewal of such station's television broadcast license authorizing analog television service; and

"(II) operate such television service on a channel between 2 and 51.

"(ii) CONDITIONS.—The rights, privileges, and obligations described under clause (i) shall only be extended if the following requirements are satisfied:

"(I) Any channel used for the distribution of analog television service shall not—

"(aa) prevent the auction of recovered spectrum pursuant to paragraph (15);

"(bb) prevent the use of recovered spectrum for any public safety service pursuant to section 337(a)(1);

"(cc) encumber or interfere with any channel reserved for public safety use, as such channels are designated in ET Docket No. 97-157; and

"(dd) prevent the Commission from considering or granting a request for waiver submitted for public safety service prior to the date of enactment of the DTV Border Fix Act of 2008.

"(II) Each station described in clause (i) operates on its assigned analog channel, as of February 16, 2009, if such channel—

"(aa) is between 2 and 51;

"(bb) has not previously been assigned to such station or any another station for digital operation after the digital transition required under subparagraph (A); and

"(cc) could be used by such station for broadcasting analog television service after the digital transition required under subparagraph (A) without causing interference to any previously authorized digital television stations.

"(III) If such station does not meet the requirements under subclause (II) for operation on its assigned analog channel, as of February 16, 2009, such station may request, and the Commission shall promptly act upon such request, to be assigned a new channel for broadcasting analog television service, provided that such newly requested channel shall—

"(aa) be between channels 2 and 51; and

"(bb) allow such station to operate on a primary basis without causing interference to—

"(AA) any other analog or digital television station; or

"(BB) any station licensed to operate in any other radio service that also operates on channels between 2 and 51.

"(iii) MUTUALLY EXCLUSIVE APPLICATIONS.—If mutually exclusive applications are submitted for the right to use a channel in order to broadcast analog television service pursuant to this subparagraph, the Commission shall—

"(I) award the authority to use such channel for such purpose through the application of the procedures established under this section; and

"(II) give due consideration to any resolution procedures established by the Commission."

Ms. CANTWELL. I ask unanimous consent that the amendment at the desk be agreed to, the committee-reported substitute, as amended, be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 5262) was agreed to, as follows:

On page 7, line 7, strike "2014" and insert "2013".

On page 10, line 18, strike the quotation mark and the second period and insert the following:

"(E) LIMITATION ON EXTENSION OF CERTAIN LICENSES.—The Commission shall not extend or renew a full-power television broadcast license that authorizes analog television service on or after February 17, 2013."

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 2507), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2507

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "DTV Border Fix Act of 2008".

SEC. 2. CONTINUATION OF ANALOG BROADCASTING ALONG COMMON BORDER WITH MEXICO.

Section 309(j)(14) of the Communications Act of 1934 (47 U.S.C. 309(j)(14)) is amended by adding at the end the following:

"(D) CONTINUATION OF ANALOG BROADCASTING ALONG COMMON BORDER WITH MEXICO.—

"(i) IN GENERAL.—Notwithstanding any other provision of this section, any television station that has been granted a full-power television broadcast license that authorizes analog television service prior to February 17, 2009, that is licensed by the Commission to serve communities located within 50 miles of the United States common border with Mexico, and that can establish to the satisfaction of the Commission that such station's continued broadcasting of television service in analog is in the public interest, shall during the period beginning on the date of enactment of the DTV Border Fix Act of 2008, and ending February 17, 2013—

"(I) be entitled to the renewal of such station's television broadcast license authorizing analog television service; and

"(II) operate such television service on a channel between 2 and 51.

"(ii) CONDITIONS.—The rights, privileges, and obligations described under clause (i) shall only be extended if the following requirements are satisfied:

"(I) Any channel used for the distribution of analog television service shall not—

"(aa) prevent the auction of recovered spectrum pursuant to paragraph (15);

"(bb) prevent the use of recovered spectrum for any public safety service pursuant to section 337(a)(1);

"(cc) encumber or interfere with any channel reserved for public safety use, as such channels are designated in ET Docket No. 97-157; and

"(dd) prevent the Commission from considering or granting a request for waiver submitted for public safety service prior to the date of enactment of the DTV Border Fix Act of 2008.

"(II) Each station described in clause (i) operates on its assigned analog channel, as of February 16, 2009, if such channel—

"(aa) is between 2 and 51;

"(bb) has not previously been assigned to such station or any another station for digital operation after the digital transition required under subparagraph (A); and

"(cc) could be used by such station for broadcasting analog television service after the digital transition required under subparagraph (A) without causing interference to any previously authorized digital television stations.

"(III) If such station does not meet the requirements under subclause (II) for operation on its assigned analog channel, as of February 16, 2009, such station may request, and the Commission shall promptly act upon such request, to be assigned a new channel for broadcasting analog television service, provided that such newly requested channel shall—